

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States Courts
Southern District of Texas
FILED

In re:

Case No. 23-33848

NOV 15 2024

BLACK STONE INVESTMENTS GROUP

Chapter 7

Nathan Ochsner, Clerk of Court

ANDRE MACK

Plaintiff

vs,

Adversary Proceeding No. _____

**BLACKSTONE INVESTMENTS GROUP
COAST TO COAST LLC, BLACK STONE
CONSTRUCTION & RESTORATION
AND BELLUM CIVILE LLC**

Defendants

COMPLAINT TO DETERMINE DISCHARGEABILITY OF DEBT

Andre Mack a/k/a Coast to Coast LLC (the "Plaintiff"), brings forth and files this Complaint to Determine Dischargeability of Debt pursuant to 11 U.S.C. § 523 and Federal Rules of Bankruptcy Procedure 7001, and alleges as follows:

I. PARTIES

1. Plaintiff, Andre Mack a/k/a Coast to Coast LLC., is located in Houston Texas and a is a Creditor in the underlying bankruptcy case.

2. Defendant, Blackstone Investment Group, Blackstone Construction & Restoration and Coast to Coast LLC, are debtors in the above-captioned bankruptcy case, residing at 5322 Bellaire Blvd, Suite 445, Houston, TX 77401,

3. Defendant Bellum Civile LLC, is a limited liability company with a principal place of business at 1309 Coreen Ave, Suite, Sheridan, Wyoming 82801, and can be served with process through its agents David Tang or Cynthia Castan on at 1855

Acaciawood Way, Houston, TX 77051..

II. JURISDICTION AND VENUE

4. This Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. §§ 157 and 1334.

5. This is a core proceeding under 28 U.S.C. § 157(b)(2)(1).

6. Venue is proper in this district pursuant to 28 U.S.C. § 1409(a).

III. FACTUAL BACKGROUND

7. On October 2, 2023, Defendant filed a voluntary petition in this Court, seeking for relief under Chapter 11 of the Bankruptcy Code.

8. Plaintiff asserts that certain property, specifically LT 10, BLK 31 OF WM. A WILSON SUBDIVISION, in Harris County, Texas according to the map or plat thereof recorded in Volume , 2 Page 2, of the Map Records of Harris County,(herein called the "Property") should be excluded from the bankruptcy estate.

9. This property as been wrongfully scheduled as property of the debtor therefore of the debtor estate, when in fact this property is own by Defendant Bellum Civile LLC, an alleged creditor. On or about October 3, 2023, Substitute Trustee Moosa foreclosed on Debtor Blackstone "Deed of Trust" recorded in the public Harris County, Real Property Records under Clerk's file No. RP-2022-365336, and sold the property to the beneficiary Bellum Civile LLC, for the sum of \$100,000.00 and recorded the Substitute Trustee Deed convening title and all rights to Bellum Civile LLC. See Exhibit A.

10. Plaintiff argues that any interest Debtors Blackstone Investment Group, Blackstone

Construction & Restoration and Coast to Coast LLC, may have held for above-mention property also known as 2812 Brailsford, Houston Tx. 77004, was distinguished on October 3, 2023, after the foreclosure and Defendant Bellum Civile LLC, an creditor is the current owner of said property. This property is not property of the debtor estate as the debtor holds no interest in said property.

11. Plaintiff holds a claim in the amount of \$65,339.91 and \$10,000.00 in construction expenses against the property also known as 2812 Brailsford, Houston Tx. 77004. See Exhibits B and C.

12. CAUSE OF ACTION

Count I: Determination of Property as Excluded from Bankruptcy Estate Under 11U.S.C.

§ 541(b)(1)

13. Plaintiff repeats and re-alleges paragraphs 1 through 11 as if fully set forth herein.

14. Pursuant to 11 U.S.C. § 541(b)(1), property of the estate does not include any power that the debtor may exercise solely for the benefit of an entity other than the debtor.

15. The property in question was conveyed on October 3, 2023, via Substitute Trustee by the Debtor Blackstone to Defendant Creditor to Defendant/Creditor Bellum Civile LLC.

16. As such, the properties should be excluded from the bankruptcy estate as the Trustee has no authority to sell property belonging to a creditor.

IV. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter a judgment in favor of Plaintiff and against Defendants as follows:

A. Determining that the property described herein is excluded from the bankruptcy estate

under 11 U.S.C. § 54I(b)(I);

B. Ordering that the property also known as 2812 Brailsford, Houston Tx. 77004 is own by Defendant/Creditor Bellum Civile LLC, as such is not property of the debtor estate and cannot be sold by the trustee.

C. Awarding Plaintiff costs and attorneys' fees incurred in bringing this action;

D. Jury Trial Demanded

E. Granting such other and further relief as the Court deems just and proper.

Respectfully submitted,

/s/ Andre Mack

Andre Mack

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Certificate of Service

I hereby state that on this 15 day of November 2024 a true and correct copy of the foregoing document was served to all parties via the court filing system .